

MANDATE

S.D.N.Y.—N.Y.C.
17-cv-6685
Carter, J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 25th day of May, two thousand twenty-two.

Present:

Rosemary S. Pooler,
Michael H. Park,
Eunice C. Lee,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/25/2022

Robert Canfield, et al.,

Petitioners,

v.

21-2110

Michael L. Ferguson, et al.,

Respondents.

Petitioners request, pursuant to Federal Rule of Civil Procedure 23(f), leave to appeal the district court's order granting class certification. Upon due consideration, it is hereby ORDERED that the petition is DENIED. Petitioners have not demonstrated either "(1) that the certification order will effectively terminate the litigation and there has been a substantial showing that the district court's decision is questionable, or (2) that the certification order implicates a legal question about which there is a compelling need for immediate resolution." *Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134, 139 (2d Cir. 2001).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe



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MANDATE ISSUED ON 05/25/2022